

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**CRIMINAL MINUTES -  
BOND/DETENTION HEARING**

**Case No.: 7:18-MJ-37**

**Date: 4/11/2018**

<b>Defendants:</b>	<b>Counsel:</b>
<b>Christopher Michael McGowan</b>	<b>Randy Cargill, FPD</b>

PRESENT:      JUDGE: Robert S. Ballou      TIME IN COURT: 1hr 17 min  
Deputy Clerk: K. Brown  
Court Reporter: K. Brown/FTR  
U. S. Attorney: Jake Jacobsen  
USPO: Mike Terry  
Case Agent: Lynne Witt, S/A FBI

**LIST OF WITNESSES**

GOVERNMENT	DEFENDANT
1. Lynne Witt, SA FBI, sworn	1. Machele Huff, VA Outreach Specialist, sworn. (Court's witness)

**BOND HEARING**

- Bond hearing held. See below.  
 Bond set at \$25K Unsecured with terms and conditions. .

In addition to the standard conditions of release, the following special conditions of release are imposed:

- The defendant shall report as directed by the probation officer, and shall promptly report any personal status changes to the probation officer: this shall include immediately reporting any contact by law enforcement officers regarding a criminal investigation or any additional criminal charges placed against the defendant; the defendant shall continue to reside at his/her current residence, and shall not change residences without first obtaining permission from the probation officer.
- The defendant shall abstain from any use of alcohol or any use or possession of any controlled substances unless prescribed by a licensed treating physician for a legitimate medical purpose [Click here to enter text](#).
- The defendant shall not possess a firearm or other dangerous weapon and shall reside in a residence free of such.
- The defendant shall submit to random drug and or alcohol testing as directed by the probation officer.
- The defendant shall surrender his/her passport to the Probation Office to be held pending further order of the court; the defendant shall not apply to obtain a passport.
- Any animals on the premises of the defendant's residence must be restrained in a way so as to not interfere with the probation officer's access to the defendant's residence and to ensure the officer's safety.
- All adults in home shall submit to warrantless search and seizure of person and property as directed by the probation officer.
- Defendant advised of penalties and sanctions for failure to appear and/or violating conditions of release.

**PRELIMINARY EXAM**

- Preliminary exam waived. Waiver form executed by parties.
- Bond set, but Defendant remanded to custody and to be released at 8am on Thursday, 4/12.

**Additional Information:**

1:19

Parties present and represented by counsel. Government moves for detention. Deft waives preliminary hearing. No opening statements.

Evidence. Lynne Witt, SA FBI, sworn. Cross. Court addresses witness. Redirect from defendant. Defendant proceeds by proffer of evidence. Court calls upon Machele Huff, VA Outreach Specialist, sworn. Questions from government. No followup from defendant. Witness excused. Court addresses Mrs. Erlene McGowan, wife. Government addresses wife. Rest.

Argument.

Court sets bond. \$25K Unsecured. Live at home with wife and daughter. Wife to be 3<sup>rd</sup> party custodian and will sign the unsecured bond as well. Deft to be released tomorrow morning 4/12 at 8am from RCJ to go directly to the VA for his assessment at 10am. If accepted into program would have to report Monday, 4/16 by 7am. Deft to complete program. If deft leaves 28 day program, Ms. Huff will notify USPO, and a warrant will be issued. Coming out of program, deft will have IOP program to complete. Status hearing set for 5/14 at 2pm to assess additional conditions of bond. No drugs or alcohol. Subject to screening. Animals to be penned up with USPO visits. NO access to electronic devices, computers, cell phones, ipads. Subject to home electronic monitoring. Alco-sensor equipment preferable for alcohol detection. Provide to probation any passwords for all social media accounts. Deft not to gain access to any social media. No contact of any method with Goodlatte or his staff in any location. After assessment on 4/12, deft will be on home confinement until he reports on Monday morning at 7am for 28 day program. Home electronic monitoring will be imposed AFTER treatment. Turn in passport. No firearms or any other weapons.

Adjourned.

2:37